



## ILL for e-books: Four years of experience – learning to walk

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### Abstract:

*Currently, ILL is sometimes regarded as an old-fashioned standard service of libraries which becomes obsolete through the plenty of information available on the internet. In contrast to that opinion, I want to emphasize that ILL considered as a network of libraries for sharing scarce resources is a very modern concept.*

*Due to the lack of contract clauses or restrictions within existing contract clauses of licensed e-journals or licensed e-books, in the last few years a permanently growing gap within ILL has arisen. More and more documents are not available via ILL and, in consequence, they are not available at all for users needing them urgently.*

*For this reason, the Bavarian State Library and the Bavarian Library Network have since 2013 developed a concept for a solution for this problem. A server for the storing of license information and provision of the respective documents are part of this project as well as the development of appropriate license agreements. While a solution for e-journals is successfully up and running and more than 30% of copies from articles within ILL are provided from e-journals (at least in Bavaria), e-books seem to be a hard nut to crack. There are not any license clauses for ILL at all for e-books in ILL and the modalities for delivery and respective license conditions are controversial between libraries and publishers.*

*The Bavarian State Library started a project to solve these problems together with the Bavarian Library Network. A pilot service has been running successfully since July 2015 and five publishers are cooperating for the test of the conception and first experiences with e-books and ILL. Nevertheless, publisher and holders of rights are sceptical and much work is still to be done until ILL for e-media becomes a regular part of the services provided by libraries. Perhaps international cooperation could be a key to convince the big publishers that a solution for these problems is necessary. The pilot period over the last 4 years shows that the technical solution and the conception are basically successful.*

**Keywords:** Interlibrary loan, electronic resources, e-books, license agreements.

## Introduction: General remarks about ILL

Very often ILL is regarded as somewhat old-fashioned. Time seems to have gone over this library service where books are exchanged between libraries, which might take days or even weeks. Compared to instant access for example on Sci-Hub, it might seem old-fashioned indeed. On the other side, it cannot be denied that ILL has the advantage of being legal. Concerning the question of whether ILL is outdated or not, there are other aspects too. Sharing various resources in other areas is up and coming: car sharing, food sharing, couch surfing, house sharing, and so on. Why should ILL as one of the most traditional kinds of resource sharing be outdated? Is the fact that ILL came up earlier than other kinds of resource sharing – in a manner of speaking, the early bird – be sufficient reason to regard interlibrary loan as old fashioned?<sup>1</sup>

Not yet answering these questions, I want to present four theses concerning the problem:

- 1.) ILL is the consequence of various shortages. No single patron can buy and own everything he or she needs for scientific work: libraries are indispensable information providers even in times of internet download. And more than that, no single library can provide all needed information – at least with respect to the community of scientists.
- 2.) ILL cannot be replaced by other solutions like pay-per-use, patron driven acquisitions, direct document delivery, and so on. All these alternatives have their own value but also their shortcomings: there is no completeness and no solution throughout. Always only more or less smaller parts of a collection are made available via these services. These comparable new services often have only a few common standards and are not interoperable and not part of the established services offering. And in many cases, sustainability is not guaranteed. The services may vanish any moment.
- 3.) E-media do not match the principles of ILL. Not only that – not being regarded as models of “real” e-lending – e-media are generally not returned. That is not completely new to interlibrary loan. A more serious difference to traditional service provision is the fact that electronic resources often are not owned by the lending libraries but only licenced. In consequence, legal limitations of copyright do not apply to e-books and so further license agreements are necessary. A further difference concerns the handling of data instead of books or hard copies. That implies that a modification in the technical basis is necessary to handle ILL for digital media, especially e-books.
- 4.) All that does not mean that resource sharing for e-media is not possible or useless. On the contrary: if ILL should not be regarded as out of date, the inclusion of electronic resources is necessary. This is possible if we can achieve appropriate license agreements and build up an appropriate technical basis.

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<sup>1</sup> See: Gillitzer, Berthold: Digitale Lücken büßen: E-Medien in der Fernleihe, Teil I, in: Bibliotheksforum Bayern 10 (2016), S. 108 – 111 (<https://www.bibliotheksforum-bayern.de/fileadmin/archiv/2016-2/011-Digitale-Luecken-bue%2B%C6%92en.pdf>)

## The initial situation

For our patrons it is often not clear that a book they searched for via ILL is only available as an e-book. Some books are in fact only available as e-books and there exists no print version at all. In consequence, within the last few years, libraries have been faced with an increasing number of unfilled requests concerning e-books. In Germany this situation has been worsened by the fact that public funding by the German Research Foundation is dependent on the preferred acquisition of the digital version.<sup>2</sup> Furthermore, the funding is also dependent on the supra-regional accessibility of the digital media. In connection with the difficulty of providing e-books via ILL, this situation poses a dilemma for the libraries. If they want additional funding, they have to buy e-books, but funding is also dependent on the provision via ILL, which is often not possible at all.<sup>3</sup>

The most absurd result of this situation was the necessity for patrons to go on a library journey to get access to an e-book if urgently needed. Taken together, these were enough reasons to spur the Bavarian Library Network to search for the solution which was invented in 2015.

## The basic concept

Through interlibrary loan of e-books, users from other institutions can gain limited access to e-books, given that this is covered by the licence agreement in place. As with printed books, this is to enable individual information which is urgently needed to be provided by libraries across regional boundaries without affecting the economic interests of right holders. This is ensured through the following technical features:

Access is only granted upon individual request:

Access to documents is only granted to certain users (see section below) upon individual request. If users wish to gain access to a specific e-book, they have to place an individual order (e.g. via the local library catalogue) which is then manually processed by the library providing access, as is the case with interlibrary loan of printed books. In any individual case, the staff of the providing library has to personally provide the person who places an order with access to the data requested. This prevents users from bypassing their home libraries (with their own range of easily accessible e-books), but at the same time allows information which is urgently needed to be provided across institutions in individual cases.

Access is only granted to certain users:

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<sup>2</sup> See: Deutsche Forschungsgemeinschaft: Grundsätze für den Erwerb von Publikationen in den DFG-geförderten Fachinformationsdiensten für die Wissenschaft ([https://www.dfg.de/formulare/12\\_101/12\\_101\\_de.pdf](https://www.dfg.de/formulare/12_101/12_101_de.pdf))

<sup>3</sup> See: Gillitzer, Berthold: Digitale Lücken schließen: E-Medien in der Fernleihe, Teil II, in: Bibliotheksforum Bayern 10 (2016), S. 108 – 111 (<https://www.bibliotheksforum-bayern.de/fileadmin/archiv/2016-3/006-Digitale%20Luecken%20schliessen.pdf>)

Only users eligible for interlibrary loan can place individual orders for e-books, i.e. registered users of a German library participating in the German interlibrary loan network. This is ensured through a secure authentication procedure, checking eligibility when a user attempts to place an order.

Limited number of requests:

Based upon the number of individual requests, the system ensures that access to an e-book can only be granted a limited amount of times per calendar year by the providing library. The licence agreement which is in place for a specific e-book package is stored on a secure server and checked every time an order is submitted to the respective library. This includes information on how often individual orders can be placed for a specific e-book per calendar year, so that the system will only accept this amount of requests for individual e-books belonging to a package. The extent to which an e-book can be accessed is therefore just as strictly limited as with a printed book. The only difference is that an e-book can be ordered by several users simultaneously (with each order counted into the overall quota) and is not necessarily handed out to one person at a time. Once the quota is reached, no further orders can be placed. However, the library will be notified about this and may be able to have the quota increased.

Regulated access:

For two weeks, the ordered e-book files are made available to the user on a secure server in the same way they are made available to the regular users of the providing library. If only the individual chapters of an e-book can be downloaded, the same will apply in the case of individual orders. Access to the requested e-book is only granted after authentication has taken place using the same user account through which the order was previously placed. When access expires, all files are deleted from the provision server. Until the next order is placed and processed, the e-book can no longer be accessed.

## **System components**

To implement the concept presented above, the following components had to be developed and new or existing components had to be adapted and developed further:

Ordering module of the central interlibrary loan server:

Orders placed through the various search engines of libraries (e.g. local or union catalogues) to which the users belong are forwarded to the ordering system of the central interlibrary loan server of the Bavarian Library Network. Here, authentication takes place via the local user account. This ensures that only registered users of libraries eligible to interlibrary loan can place orders. The ordering module communicates with both the user administration of the local library systems and the central configuration database in which the respective licence information (see section below) is stored.

Central Configuration and Licence Database:

For each providing library an e-book package, licence information (i.e. how often per calendar year access to e-books as part of a package/by a certain publisher is to be granted by

the providing libraries according to the respective agreement in place) is stored within the central configuration database. Also included is information on how often each e-book has actually been made available by the libraries within the current calendar year. This is to ensure that per year, access to a book is only granted as often as it should be according to the existing licence.

#### Provision Server:

Following an order, the e-books are made available to the user for a limited period via the secure environment of the provision server. In order to access the e-books, the user has to provide the provision server with separate authentication (using the same account through which the order was placed) and also declare that no data will be forwarded to third parties. This prevents unauthorized access of e-books during the individual order process. When the access expires after two weeks, all documents are automatically deleted from the provision server.

### Experiences during the first four years

The setup of the technical infrastructure went very smoothly without any problems and the system is up and running. The German library networks agreed upon using the system as a common national system so that different models are not in place and negotiations with the publishers and rights holders can be based on this infrastructure.

Currently the project still has the status of a trial period based on license agreements with five publisher and 11 partaking lending libraries in Bavaria and is still for the most part restricted to the area of Bavaria. There are about 20,000 titles available for interlibrary loan and, within the last four years, nearly 3,000 requests could be fulfilled. Although it is a completely new service and although some users were surprised that their ILL order was fulfilled by the supply of an e-book, the service has been accepted without any problems.

The main obstacle of the project is the fear of the rights holders that their e-book collection could be “sold out” by delivery of books to users which are not the genuine patrons of a lending library. But, using our case as an example, it turned out that there is no reason for this fear. There are only very rare multiple orders for the same title. Within a sample of 2,159 deliveries, 1,710 different titles were ordered. 75% of the ordered titles are unique orders, only 16% were ordered twice, and only 3% were ordered three times. The rest of the multiple orders up to 11 times of ordering for a title concerned only 3% of the deliveries. The supplies from 11 lending libraries are distributed across more than 30 borrowing libraries. But the most important result of the trial period is that the annual rate of orders, which means the number of orders per total amount of selectable titles per year, is identical for e-books and printed books with a rate of 0.031. Only for 3.1 % of the selectable titles ILL orders are placed no matter if we start with only a small sample of some specially selected e-book collections or the full offer of the printed books of all libraries within a library network with more than 40 million titles.

That proves that the concept and the system for e-book ILL serves exactly the needs of interlibrary loan. There is no hint that any borrowing library would buy or license one e-book less if e-books are also available within ILL.

## Tasks for the libraries – challenges

Setting up such a system is surely an effort, but when this is accomplished, the technical part – especially the administration of the system – is no serious problem. License data have to be fed into the system and the orders have to be processed as orders have to be processed in conventional ILL as well. There is no additional work to be done. It turned out that the most difficult task has been the negotiation of license agreements with publishers. Standard license agreements are available either as an appendix to existing agreements or as a master license agreement for consortia and license communities. The second solution (the master agreement) allows for more control of total access to documents for the publishers and should be preferred if the publisher estimates their risk to be high. As mentioned above, there exists no risk for the economic interest of publishers at all: the system and the agreements allow for a flexible limitation of access, guarantees a limited number of authorized users and controlled access. Also, transparency is ensured by provision of statistical information about lending and borrowing libraries even on the level of a single title. This information is not only useful for publishers but for the borrowing libraries as well. Multiple orders of titles or perhaps within collections with a common topic indicate a gap in the collection of a library. Persons responsible for the acquisition policy at a library are happy to have this information.

Last but not least, ILL of e-books is an alternative to the illegal exchange of digital documents by scientists. If established as a standard component within license agreements and our library services, it would help to improve the acceptance of e-books overall. This would surely be an advantage for both libraries and publishers.

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